

2008 SYNOPSIS

Chauffeurs, Teamsters and Helpers Local Union 633 of NH v. Town of New Ipswich Case No. G-0059

The union filed a written majority authorization (WMA) petition seeking certification as the exclusive representative of a proposed bargaining unit consisting of police officers, highway department employees, and transfer station employees. The town filed its objections contending, inter alia, that there was no community of interest since the police employees had no desire to be part of the proposed bargaining unit and that some of the employees in the proposed unit were probationary employees and, therefore, could not submit WMA cards.

The PELRB dismissed the town's objection to the petition based upon the purported probationary status of certain employees because there was insufficient evidence to show that these employees were placed on a probationary status at the time they were hired. The PELRB found that there was insufficient evidence to establish a community of interest among the employees in the proposed unit because a self-felt community of interest was lacking as to police officers who opposed to being included in the proposed unit. There was also insufficient evidence of the presence of common work rules and personnel practices and common salary and fringe benefit structures. The PELRB held that the police officer positions must be excluded from the proposed bargaining unit. The PELRB dismissed the petition because, after exclusion of the police officer positions, the size of the proposed unit was reduced to 8 employees, an insufficient number under RSA 273-A:8, I, which requires that a proposed bargaining unit contain at least 10 public employees.

Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.